

MUNOFS Research Report

Forum: Environment

Issue: Measures to protect wildlife during commercial nature filming

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Introduction:

In recent years the quantity commercial nature filming have been increasing and has also contributed in causing a disturbance and for the various animals in such wildlife regions. It is becoming crucial to address the issue.

In 1978, the Universal Declaration of Animals Right (UNDAR) was accepted by the United Nations and then updated in 1989 by the International League of Animal Rights. The Article 2 sub-clause a, in the UNDAR, highlights “Every animal has the right to be respected”. In addition Article 14 sub-clause b, in the UNDAR states, “Animal rights must be defended by law as are human rights”. This illustrates the importance to protect wildlife and animals right during commercial filming. Several people around the world have gained awareness for the importance of the protection of animals during various commercial nature filming. In 1931, Jeffery Boswall, the producer for BBC Natural History Unit released a paper on the ethics of wildlife filming, “The Moral Pivots of Wildlife”, in which he proposes three commandments that are as follows;

1. Thou shalt not harm animals
2. Thou shalt not deceive the audience
3. Thou shalt be willing to disclose how the film was made.

General Overview of Issue

The main issues related to commercial wildlife filming are the impacts that the organisms face due to the stresses when being filmed. Several researches on wildlife activities including photography and filming illustrates that it has the capability to cause a critical effect on an individual, population or a community.

A study associated with about 28 natural parks and preserves areas in North California, compared two areas. One an area with no wildlife activities and another an area with a large variety of wildlife activities including filming & photography. The results from this study revealed that areas with certain disturbance and activities led to a “five fold decline” in the carnivores and a shift in the community

composition, and concludes by addressing the need of more management for the protection of these areas. (Reed & Merenlender 2008).

Several issues relating to the ethicality of filming in the wildlife are becoming controversial, and due to the limited address to the issue, the unethicity continues.

Key Terms:

Commercial Nature Filming: any filming undertaken for a financial consideration, either on consignment for another party or with a view to selling or hiring the imagery obtained, or for promotion of a product or service, and includes still photography for advertising purposes (Wellington Park Act 1993)

Wildlife: Animals living in the wilderness without any human intervention (NRDC 2006)

Permits: Type of Authorization that must be granted by a government or other regulatory body, before an action or deed is taken place. (Investopedia)

National Parks: International Union of Conservation of Nature and Natural Resources declare a national park, “ with one or several ecosystems not materially altered by human exploitation and occupation, where plant and animal species, geomorphological sites and habitats are of special scientific, educative and recreation interest or which contain a natural landscape of great beauty”, in 1969. (NRDC 2006)

Wildlife Management: The manipulation of wildlife populations and habitat to achieve a goal. (Sargent and Carter, 1999)

Humane: Characterized by tenderness, compassion and sympathy for people and animal, especially for suffering or distressed. (Dictionary Reference)

Major Parties Involved:

United States of America:



There is an American Humane Association Film & TV Unit that supervises the use of animals in various films and commercial. It contains a “certified animal safety representatives” & strict guidelines for the safe use of such animals. The image is added usually at the end of a film to certify it. In addition national park Service – U.S Department of the Interior have policies for commercial filming in areas that were set be the congress as National Parks. The policy “permits commercial filming and still photography when it is consistent with the park’s mission and will not harm the resource or interfere with the visitor’s experience” and the National Park Service issues out permits for organizations or individuals wishing to commercially film at the National Parks, with two fees.

United Kingdom:

In 1981, UK issued, “The Wildlife and Countryside Act”, that works in protecting animals, plants and habitats around the UK. It also secures the rights and rules of various National Parks around the UK. However no direct laws or act is established on wildlife filming in the region. Although National Parks such as Lake District requires filmmakers to purchase a permit to film a commercial nature film in their premises.

Republic of South Africa

There has always been huge demand for wildlife and landscapes commercial filming in South Africa. The organization, South African National Parks (SANparks), who manages the National Parks in the region have started formal applications for permits to film since 4th of August, 2009. In addition the Republic of South Africa have the following acts to prevent and forms of cruelty to animals, including “Performing Animals Protection Act No. 24 of 1935 & the Animals Protection Act No. 71 of 1962.

Brazil:

Brazil is the 5th largest country in the world and homes the largest and most diverse species of Tropical Rainforest in the world. Any form of cruelty towards animals is an offence under the law, and penalties include imprisonment and fines.

World Society for the Protection of Animals (WSPA)

The WSPA have proposed the “Universal Declaration of Animal’s Welfare” to the United Nations and has been campaigning for this declaration to be adopted. This declaration urges all member states to establish laws against ill behavior against animals that will provide animals with more respect and protection. In addition it is “encouraging those industries which use animals to keep welfare at the forefront of their policies”, this would include the filming industry as well.

Australia:

Australia consists of more than 378 mammal species, 828 bird species, 4000 fish species, 300 species of lizards, 140 snake species, 2 crocodile species and about 50 types of marine mammals. The Australian Government funds organisations such as RSPCA “Royal Society for the Prevention of Cruelty to Animals”, that encourages animal welfare. Furthermore, in New South Wales a state to the East of Australia, there are several established film industry animal safety guidelines. These guidelines calls for, an experienced animal supervisor to be present when animals are being used, facilities for animals should be in good health, all sources of stress should be avoided, a qualified veterinarian can only prescribe drugs and etc. In addition all filming activities with the Prevention of Cruelty of Animals Regulations 2006 should be in accordance with the “Code of Practice for the Welfare of Animals in Films and Theatrical Performances” that was approved by the Animal Welfare Council in 1997.

India:

India has approximately 80 national parks as well as 441 wildlife sanctuaries that cover 4.5% of the total area of the country. The protection of the diverse wildlife in India is strongly stressed. The “Animal Welfare Board of India” is the one of the first organisations that is established to fight against animal cruelty in 1962. This organisation was set up in accordance to the “Prevention of Cruelty to Animals Act”

in 1960. The purpose of the organisation was stated to be, “For the promotion of animal welfare generally and for the purpose of protecting animals from being subjected to unnecessary pain or suffering”. There have been instances where animals have received injuries and beatings when involved in cinematography. In 2005, an organisation known as “People for the Ethical Treatment of Animals” PETA - India in accordance with Bombay High Court issued a judgement requiring the “Central Board for Film Certification”, to first have a certificate issued by the “Animal Welfare Board of India” before certifying the film. In addition the film sub committee in the Animal Welfare Board states that filming can only proceed after the approval of AWBI, and after full details regarding the shooting are also transferred such as time, date, location and etc. Furthermore, within India there are organisations such as the “Wildlife Protection Society of India (WPSIP)”, that was found in 1994 that works towards the conservation of wildlife in India.

Timeline:

1940 – American Humane Association certify that films meet their strict guidelines for the Safe use of Animals

1947 – National Parks and Wildlife Act New South Wales Parliament

1981 - World Society for the Protection of Animals is formed

1977 – Universal Declaration of Animal Rights

2000 – The Universal Charter of the Rights of Other Species

2000 – United Nations Environmental Programme – World Conservation Monitoring Centre

2004 – Filming Approval Act (Fees to be paid into National Parks & Wildlife Funds)

UN Involvement, Relevant Resolutions, Treaties & Events

United Nations Environment Programme - World Conservation Monitoring Centre:

The United Nations Environment Programme - World Conservation Monitoring Centre is an organisation

that focuses on conserving the biodiversity across the world. One of the programs within the organisation are protected areas within the regions that are focused for nature and biodiversity conservation. Every nation has designated protected areas, that prevents human influence in those areas.

Universal Declaration of Animal Rights

UNESCO Declaration of Animal Rights signed on the 17th of October, 1978 states that all animals should have the same rights to existence, shouldn't be subjected to cruelty or ill treatment, all animals should be covered under the law and dead animals should be treated with respect. Even though the declaration has no direct reference to commercial nature filming, Article 10 emphasizes that "No animal shall be exploited for the amusement of man".

Possible Solutions:

Most nations in the world should enforce laws and acts in order to protect wildlife during the process of any commercial filming. These laws could be local to a specific national park that may offer permits and licenses.

Urge for a creation of international guidelines that all independent and public commercial nature filming projects must co-operate with and follow. These guidelines could include a particular distance that must be maintained between organisms, specific lens & artificial lighting that do not cause disturbance to sensitive animals, and also the various ethically techniques that should be adopted. Any forms of drugs or medicines for the organisms should be completely banned. Furthermore, it could be suggested for an expert should be present while the filming is in process, in order to ensure the animals are under no stress or threat during the duration. If any projects fail to comply with the set guidelines, penalties could be established to highlight the importance of the guidelines.

Encourage the development of a sub-committee within the United Nations Environment Programme – World Conservation Monitoring Centre that focuses their attention on the various commercial nature filming projects that are occurring around the world & ensure they follow the recommended guidelines. This sub committee could establish surprise surveillances on the location of the wildlife filming. In addition establish specific regions in wildlife where filming is permitted and certain regions where it isn't. Moreover the sub-committee should be responsible in educating and informing all the crewmembers of the behavior and routines of the various animals, to ensure no actions are taken to disturb the creature.

Commercial Nature Films should reflect, encourage and highlight the importance of nature and conservation thus should be carefully inspected before approved for publication to the public.

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